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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Alejandro SOSA-Cobarrubias,

Defendant

Magistrate Docket No.

08 MJ 1726

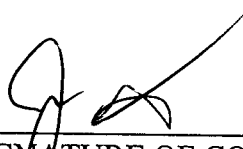
COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326
Deported Alien Found in the
United States

The undersigned complainant, being duly sworn, states:

On or about **May 30, 2008** within the Southern District of California, defendant, **Alejandro SOSA-Cobarrubias**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 2nd DAY OF JUNE, 2008


Leo S. Papas
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Alejandro SOSA-Cobarrubias

PROBABLE CAUSE STATEMENT

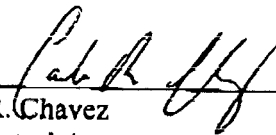
I declare under the penalty of perjury that the following statement is true and correct:

On May 30, 2008 Border Patrol Agent A. Furet Jr., was performing line watch duties in the Imperial Beach Border Patrol Station area of operations. At approximately 12:00 AM, night vision scope operator notified the field via radio transmission of four individuals running northbound in an area known as "Area 51". This area is located approximately 200 yards north of the United States/Mexico International Boundary Fence, and one and a half miles west of the San Ysidro, California Port of Entry. This area is commonly used by undocumented aliens attempting to further their illegal entry into the United States.

Agent Furet responded to the area and after a brief search encountered four suspects attempting to conceal themselves in a ditch. Due to the close proximity to the United States/Mexico International Boundary Fence, and the areas notoriety for alien foot traffic, Agent Furet identified himself as a United States Border Patrol Agent in both the English and Spanish language and questioned each subject as to their citizenship and immigration status. Each subject, including one later identified as the defendant **Alejandro SOSA-Cobarrubias**, freely admitted to being citizens and nationals of Mexico not in possession of any immigration documents which would allow them to enter or remain in the United States legally. At 12:45 AM, Agent Furet placed the four subjects under arrest, including the defendant. Each of the subjects was transported to the Imperial Beach Border Patrol Station for further processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to Mexico on April 8, 2008 through Nogales, Arizona. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

Executed on May 31, 2008 at 9:00 a.m.



Carlos R. Chavez
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 1 page(s), I find probable cause to believe that the defendant named in this probable cause statement committed the offense on May 30, 2008, in violation of Title 8, United States Code, Section 1326.



Leo S. Papas
United States Magistrate Judge

5/31/08 - 1133Am

Date/Time